

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.)
)
)
Plaintiff)
v.)
)
WORLD AVENUE USA, LLC, et al.)
)
)
Defendants)
)

)

Case No. PJM 08 cv 0921

**DEFENDANT WORLD AVENUE USA, LLC'S APPLICATION AS TO AMOUNT OF
ATTORNEYS' FEES**

Pursuant to this Court's Order at DE 502 dated November 12, 2010 that sanctioned Plaintiff BEYOND SYSTEMS, INC. ("BSI") for the fifth time, Defendant WORLD AVENUE USA, LLC ("WAUSA"), hereby submits its Application As to Amount of Attorneys' Fees awarded by this Court.

The above sanctions Order arises from BSI's failed efforts to designate as confidential several transcripts and video inspections. The Order provides:

PAPERLESS ORDER granting [293] Motion to Challenge Plaintiff Beyond Systems, Inc.'s Designation of Video Inspections and Depositions as Confidential. Plaintiff has repeatedly failed to demonstrate a justifiable basis for confidentiality for the identified discovery under the Stipulated Protective Order. Plaintiff's statements in support are conclusory, and its designations of confidentiality are overly broad. Plaintiff's position is not substantially justified. Defendant shall have 14 days to submit a request for fees and expenses incurred.

As a result of the Motion, \$19,121.00 has been incurred.

WHEREFORE, Defendant WORLD AVENUE USA, LLC respectfully requests entry of judgment against Plaintiff BEYOND SYSTEMS, INC. in the amount of \$19,121.00, plus statutory interest, and for such other and further relief as this Court deems just and appropriate.

Dated: November 29, 2010

Respectfully submitted,
Attorneys for World Avenue USA, LLC

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/s John L. McManus

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--and--

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